

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE:

JOAN SEGLINDE KUCHTA

Debtor

CASE NO. 11-10091 - aih

JUDGE ARTHUR I. HARRIS

CHAPTER 13

**LORAIN NATIONAL BANK'S  
OBJECTION TO CONFIRMATION  
OF DEBTOR'S PROPOSED  
MODIFIED CHAPTER 13 PLAN**

\* \* \* \*

NOW COMES Lorain National Bank, a creditor herein ("LNB"), by and through counsel, and objects to confirmation of Debtor's proposed Modified Chapter 13 Plan, dated January 12, 2011. The grounds for this Objection are that the Plan as constituted does not provide for payment of LNB'S secured claims. LNB is a secured creditor of the Debtor, holding a first and second mortgage on the real estate located at 710 East Drive, Lorain County, Sheffield Lake, Ohio. LNB's second mortgage is secured only by the Debtor's principal residence and may not be modified pursuant to 11 U.S.C. §1322. Debtor's Plan and Schedules do not correctly value the real estate located at 710 East Drive, Sheffield Lake, Ohio.

The Plan does not adequately protect and provide for payment of creditor's claims, and does not provide that the creditor retain its liens all as required by the Bankruptcy Code.

Respectfully submitted,

/s/James W. Moennich

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ATTORNEYS FOR CREDITOR, LORAIN NATIONAL  
BANK

**PROOF OF SERVICE**

This is to certify that a copy of the foregoing Lorain National Bank's Objection to Confirmation of Debtor's Proposed Modified Chapter 13 Plan has been sent via the Court's electronic filing system on this 28<sup>th</sup> day of January, 2011, to:

William J. Balena, Esq.  
511 Broad Street  
Elyria, OH 44035-5531

Office of the U.S. Trustee  
Howard M. Metzenbaum U.S. Courthouse  
201 Superior Avenue E, Suite 441  
Cleveland, OH 44114

Office of the Chapter 13 Trustee  
Craig Shopneck, Esq.  
BP Tower  
200 Public Square  
Suite 3860  
Cleveland, OH 44114-2321

and by ordinary U.S. mail, postage prepaid, on this 28<sup>th</sup> day of January, 2011, to:

Joan Seglinde Kuchta  
710 East Drive  
Sheffield Lake, OH 44054

/s/James W. Moennich

James W. Moennich  
Paul R. Phillips

7700-1668